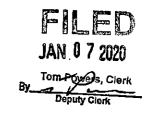
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DV-19-452

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA BUTTE DIVISION

FX SOLUTIONS, INC.	Cause No
Plaintiff, vs.	NOTICE OF REMOVAL
MATTHEW BRENT GOETTSCHE,	,
Defendant.	·

TO: FX Solutions, Inc., Plaintiff, and its attorney Kris A. McLean, Kris A. McLean Law Firm, PLLC, and Tom Powers, Clerk of Court, Montana Second Judicial District Court, Butte-Silver Bow County.

Defendant Matthew Brent Goettsche (Defendant) respectfully avers:

1. On December 26, 2019, Plaintiff commenced an action against Defendant in the Montana Second Judicial District Court, Butte-Silver Bow County, entitled FX Solutions, Inc., Plaintiff, v. Matthew Brent Goettsche, Defendant, Cause Number DV-19-452. Plaintiff emailed an unsigned copy of the Complaint to

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Counsel for Defendant on December 30, 2019. Plaintiff has not yet effectuated service of the Summons and Complaint on Defendant. A copy of the Complaint is attached hereto as Exhibit A.

2. The Complaint alleges four claims of Breach of Contract and one claim of Actual and Constructive Fraud related to investments in Bitcoin mining facilities. Plaintiff through counsel has alleged damages of "not less than \$10 million." Complaint at ¶ 40.

GROUNDS FOR REMOVAL

- 3. At the time this action was commenced, Plaintiff FX Solutions, Inc. is a corporate entity registered to do business in Montana, with its principal office and Registered Agent in Missoula, Montana. Complaint at ¶ 1, Montana Secretary of State's Office, accessed 01/07/20 at 1:50pm MST https://www.mtsosfilings.gov/mtsos-corporations/viewInstance/view.html?id=8383adccf3cbf69372998a953a344618d03b5c677b542c 0a7e59b3cf97810e88& timestamp=7237776108012324.
- 4. At the time this action was commenced, Defendant was and is a resident of the State of Colorado. Complaint at ¶ 3.
- 5. The above described action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332, and is one which may be removed to this Court by the Defendant herein, pursuant to the provisions of 28 U.S.C. § 1441 in that it is a civil action wherein the matter in controversy exceeds

NOTICE OF REMOVAL Page 2 of 5

the sum or value of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest and costs, and is between entities and citizens of different states.

PROCEDURAL REQUIREMENTS

- 6. This Notice of Removal is timely under 28 U.S.C. § 1446(b)(1) because it is filed within 30 days of receipt of a copy of the initial pleading setting forth the claim for relief upon which the state court action is based.
- 7. The Defendant may remove this case to federal court pursuant to 28 U.S.C. § 1441(a).
- 8. The removal is to the proper district court and division pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) because the United States District Court for the District of Montana, Butte Division, is the federal judicial district that embraces the Montana Second Judicial District Court, Butte-Silver Bow County, where the state court action is pending.
 - 9. Defendant is the sole defendant named in this action.
- 10. After filing this Notice of Removal, Defendant will promptly serve written notice of this Notice of Removal on counsel for the adverse party and file the same with the Clerk of the Montana Second Judicial District Court in accordance with 28 U.S.C. §§ 1446(a) and 1446(d).
 - 11. True and correct copies of all known process, pleadings, and orders

pending in the Montana Second Judicial District Court are attached hereto as Exhibit

NON-WAIVER OF DEFENSES

12. By removing this action from the Montana Second Judicial District

Court, Defendant does not waive and expressly reserves any and all rights,

defenses, privileges and objections available to him.

B.

13. By removing this action from the Montana Second Judicial District

Court, Defendant does not admit any of the allegations in Plaintiff's complaint.

WHEREFORE, Defendant prays that the action now pending against him in

the Montana Second Judicial District Court, Butte-Silver Bow County, entitled FX

Solutions, Inc., Plaintiff, v. Matthew Brent Goettsche, Defendant., Cause Number

DV-19-452, be removed therefrom to this Court.

RESPECTFULLY SUBMITTED this 7th day of January, 2020.

SMITH & STEPHENS, P.C.

by: /s/John E. Smith

John E. Smith

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of January, 2020, a copy of the foregoing document was served on the following persons by the following means:

1	CM-ECF
	Hand Delivery
	Mail
	Overnight Delivery Service
	Fax
	2, 3_E-Mail

- 1. CLERK, UNITED STATES DISTRICT COURT
- 2. Kris McLean
- 3. Clerk of Court, Butte-Silver Bow District Court

By: /s/ John E. Smith

John E. Smith

SMITH & STEPHENS, P.C.

Attorney for Defendant